

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO.1165 OF 2006
IN
WRIT PETITION NO.5777 OF 1999

Nanavaty Chandrashekar Ramanlal .. Applicant.
Vs.
The K.B.H.S.S. Trust's
Polytechnic & Others .. Respondents.

Mr.P.K.Dhakepalkar for respondent no.1.
Mr.P.M.Patil AGP for respondent nos.2 and 3.

CORAM : B.H.MARLAPALLE & D.B.BHOSALE, JJ.
DATED : APRIL 27, 2006.

P.C:

. Respondent no.1 in Writ Petition No.5777 of 1999 has filed this application. The original petition being writ petition No.5777 of 1999 and the said petition was allowed by us on 28th July, 2000. Against the said order Special Leave Petition (Civil) No.198 of 2001 was moved before the Apex Court and the same was dismissed on 26th March, 2001.

2. By our judgment dated 28th July, 2000 respondent no.1 was directed to pay to the petitioner all the benefits after due calculations thereof within a period of four months of the order with interest at the rate of 12% p.a. from three

months after the date of acceptance of resignation i.e. from 1.1.1998. It was further clarified that on failure to pay the said amount within a period of four months the rate of interest shall be 18% p.a. for further period of delay, if any. By this application the petitioner has submitted before us that the order of this Court allowing writ petition No.5777 of 1999 has not been implemented and, therefore, he is seeking directions against them.

3. Respondent no.1 is under the supervision and control of respondent no.2 i.e. Joint Director, Technical Education, Regional Office at Nashik and the said authority is vested with all necessary powers to ensure that the decision of this Court dated 28.7.2000 is implemented and it is, therefore, necessary that the applicant/petitioner approaches the same officer forthwith.

4. If the applicant/petitioner submits a representation to the Joint Director, Technical Education, Regional Office, Nashik Road at Nashik within a period of four week from today, we direct the said Joint Director, Technical Education, Nashik to take appropriate steps so as to ensure that the order passed by this Court on 28.7.2000 is

executed within a period of two months from the receipt of such representation, in case the said order is not implemented. Civil application is disposed of accordingly and the registry is directed to forward a copy of this order to the Joint Director, Technical Education, Nashik Road at Nashik forthwith.

(D.B.BHOSALE, J.)

(B.H.MARLAPALLE, J.)